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7 **UNITED STATES DISTRICT COURT**
8 **DISTRICT OF NEVADA**
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10 WONG SUET FONG,

11 Plaintiff,

12 v.

13 BAC HOME LOANS SERVICING LP, *et*
14 *al.*,

15 Defendants.

Case No. 2:11-CV-01446-KJD-PAL

ORDER

16 Plaintiff's Complaint (#1) was filed September 8, 2011. Federal Rule of Civil Procedure
17 4(m) requires service of summons and complaint to be made upon a defendant 120 days after the
18 filing of the complaint. The 120 day time period for effecting service of the summons and complaint
19 upon Defendants expired no later than January 6, 2012. Though Plaintiff has returned the Court's
20 form (#6/7/8) attempting to demonstrate proof of service, on October 12, 2011 the Court denied
21 (#10) Plaintiff's Motion for Entry of Clerk's Default (#9). The Court found that Plaintiff had not
22 shown that the summons and complaint were delivered to Defendants and that service by certified
23 mail was not expressly allowed by statute.

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1 Accordingly, IT IS HEREBY ORDERED that Plaintiff shall have up to and including
2 January 24, 2012 to file proof of service of the summons and complaint within the allowed time.
3 Plaintiff must also show that the form of service executed by Plaintiff is expressly allowed by the
4 Federal Rules of Civil Procedure. If Plaintiff fails to respond or to file proof of service, the Court
5 will dismiss the complaint without prejudice in accordance with Federal Rule of Civil Procedure
6 4(m).

7 DATED this 10th day of January 2012.

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11 Kent J. Dawson
12 United States District Judge
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